IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS **LUFKIN DIVISION**

ANASCAPE, LTD., Plaintiff. Hon. Ronald Clark Civil Action No.: 9:06-CV-00158-RC v. § § § MICROSOFT CORP. and NINTENDO OF AMERICA INC., Defendants.

JOINT MOTION TO AMEND THE SCHEDULING ORDER

The parties respectfully request that the Court amend the Scheduling Order governing this action as follows:

- 1. The deadline for "Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for all experts all information set out in Rule 26 (2)(B)," currently scheduled for November 7, 2007, shall now be November 16, 2007;
- 2. The deadline for "Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness reports, to include for all experts all information set out in Rule 26(2)(B)," currently scheduled for November 28, 2007, shall now be December 7, 2007; and
- 3. The deadline for expert discovery, currently scheduled for December 13, 2007, shall now be December 20, 2007.

These changes have no effect on any other deadlines. The text of a proposed Order is attached as Exhibit A.

Dated: September 25, 2007

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 26th day of September 2007. Any other counsel of record will be served by first class mail

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/3/	Janucs	ν.	Diank	